IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 20310 of 2004

Between:

Tatineni Satyanarayana S/o Gopaiah,
Principal of GA&K, Abhyudaya Junior College, R/o Poranki, Vijayawada.

..... PETITIONER

AND

1 Government of A.P.,

rep by Principal Secretary, for Higher Education, Hyderabad.
2 Commissioner-cum-Director Board of Intermediate, Hyderabad.
3 Secretary Board of Intermediate, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate Writ, order or direction, declaring the action of the respondents in not considering my representations dt 5-11-2003 and 2-4-2004 sent through the G.A. &K. Abhyudaya Junior College, Vijayawada, in terms of the Writ Appeal 1633/2003 dt 15-10-2003 for payment of salary attached to the post of Principal to the petitioner as illegal, arbitrary and violative of principles of natural justice and for a consequential order directing the respondents herein to consider the representations dt 5-11-2003 and 2-4-2004 sent through the G.A. & K. Abhyudaya Junior College, Vijayawada.

Counsel for the Petitioner: Mr. CH.DHANAMJAYA

Counsel for the Respondent No.1: GP FOR HIGHER EDUCATION

Counsel for the Respondent Nos.2 & 3 : Mr. S.S.PRASAD.

The Court at the admission stage made the following :

The petitioner contends that he is working as a Principal of GA & K College, Vijayawada. He was appointed as a junior Lecturer in 1981 in the said College, when it was functioning as an unaided college. Subsequently, the post of the Principal of the said college fell vacant. The Management of the said college selected and appointed him as the Principal of the college through the order dated 03-12-1986. He has been working as Principal of the college since then. The Management of the college intimated his appointment for approval to the Director of Higher Education. The petitioner further contends that he filed W.P.No.9437 of 1991 when another person was appointed in his place as the Principal of the college. An interim suspension was granted by this Court, but the Writ petition was dismissed on 18-09-2003. He preferred Writ Appeal No.1633 of 2003 against the said order and the Writ Appeal was allowed on 15-10-2003 by holding that the petitioner is entitled to continue as Principal of the college and he is entitled to draw the salary attached to the post. Subsequently, the petitioner sent a representation to the 2nd respondent on 05-11-2003 through the college and it was forwarded by the Correspondent by duly recommending his appointment for approval. The Principal also submitted a reminder letter on 09-03-2004 and it is pending with the 2nd respondent. The grievance of the petitioner is that the respondents so far did not pass any orders approving his appointment as Principal of the college and for payment of the dues of the salary. Therefore, the petitioner approached this Court through this Writ Petition seeking a direction to the respondents for accepting his proposal of the appointment and for his appointment to the post of the Principal. The grievance of the petitioner is that though there was proposal from the Correspondent of the college in which he is working and subsequent letters dated 09-03-2004 and the representation of the petitioner dated 02-04-2004, the respondents have not passed any orders approving his appointment as the Principal of the college and for the salary attached to the post.

In the light of the submissions made by the petitioner, the respondents are directed to examine the proposal made by the Correspondent of the college in which the

petitioner is working and his representations and pass appropriate orders according to the rules in force within two months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of.

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(Dr.G.YETHIRAJULU,J)

5th November, 2004.

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To

1 The Principal Secretary for Higher Education,

Government of A.P.,

Hyderabad.

2 The Commissioner-cum-Director,

Board of Intermediate,

Hyderabad.

3 The Secretary,

Board of Intermediate,

Hyderabad.

4 Two CCs to the GP for Higher Education, High Court of A.P.,

Hyderabad (O.U.T.)

5 Two CD Copies.